



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/578,330

03/05/2007

Sten Wallsten

10400-000229/US

5702

30593

7590

12/22/2008

HARNESS, DICKEY & PIERCE, P.L.C.

P.O. BOX 8910

RESTON, VA 20195

EXAMINER

SEVERSON, JEREMY R

ART UNIT

PAPER NUMBER

3653

MAIL DATE

DELIVERY MODE

12/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,330	Applicant(s) WALLSTEN, STEN	
	Examiner Jeremy Severson	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/4/06, 4/9/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 8 is objected to because of the following informalities: “claims” should be “claim”. Appropriate correction is required.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: “Conveyor tracks for storing printed products”.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “edging” as claimed in claims 6, 11 and 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

Art Unit: 3653

of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

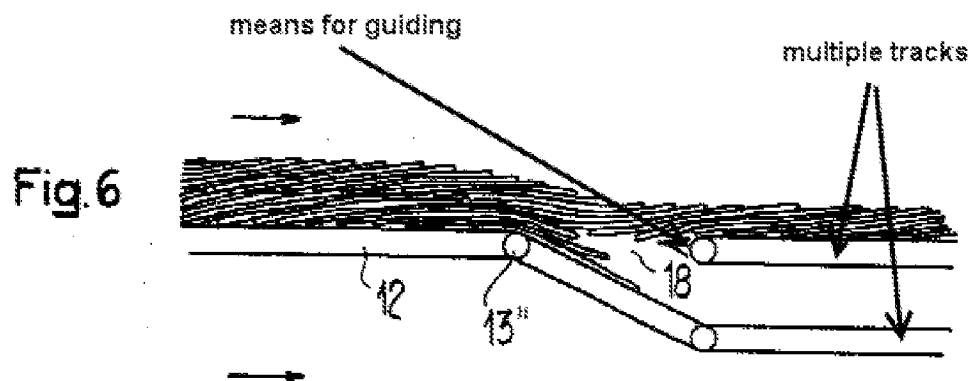
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Dietrich (US 4,000,806).

Regarding claims 1 and 2, Dietrich discloses a method of storing printed products in one or more layers, the method comprising: storing the printed products on at least one substantially circular conveyor track (19); supplying the printed products (from stack S) to the conveyor track at least at one point in the track and discharging the lowermost layer from the conveyor track through an opening in the track (18); the supplying and discharging of products being independent of each other, wherein printed products are supplied to the track while at the same time printed products are discharged from the track at the opening.

Regarding claims 3, 8 and 20, Dietrich discloses an installation for storing one or more layers of printed products, comprising: one or more conveyor tracks (19), that the printed products being stored on a substantially circular conveyor track, said track being provided with at least one opening (18) for discharge of the lowermost layer, the conveyor track comprising means for guiding the lowermost layer away from the track through the opening, the supplying and the discharging of products being independent of each other, wherein at least one or more tracks are arranged above a first track, wherein the tracks operate independently of each other.



Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 3653

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 5, 10, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietrich in view of Muller (US 4,447,052).

Dietrich discloses everything claimed except wherein the means for guiding, when in a first position, bridges the opening, whereby the conveyor track is continuous and the lowermost layer of products is held on the track, wherein the means for guiding, when in a second position, is raised, whereby the track is discontinuous and the lowermost layer of printed products is discharged away from the track through the opening, wherein said means for guiding is a flap which is movably arranged in the opening. Muller teaches the use of such a means for guiding in order to provide improved means for diverting sheets. See col. 1, lines 42 et seq. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to add means for guiding, when in a first position, bridges the opening, whereby the conveyor track is continuous and the lowermost layer of products is held on the track, wherein the means for guiding, when in a second position, is raised, whereby the track is discontinuous and the lowermost layer of printed products is discharged away from the track through the opening, wherein said means for guiding is a flap which is movably arranged in the opening, To the device of Dietrich, as taught by Muller, in order to provide improved means for diverting sheets.

Claims 6 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietrich in view of Asako (US 2004/0140609).

Dietrich discloses everything claimed except Dietrich does not explicitly disclose at least one edging adapted to hold the printed products on the track. Asako teaches the use of side walls for regulating widthwise movement of paper. See, e.g., par. 12. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to add at least one edging adapted to hold the printed products on the track, to Dietrich, as taught by Asako, in order to regulate widthwise movement of the paper.

Claims 7, 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietrich in view of Hartness (US 7.032,742).

Dietrich discloses everything claimed except Dietrich does not explicitly disclose wherein two or more tracks are arranged concentrically and operate independently of each other. Hartness teaches the use of two or more tracks that are arranged concentrically and operate independently of each other, in order to conserve floor space. See col. 6, lines 7 et seq. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use two or more tracks are arranged concentrically and operate independently of each other in the device of Dietrich, as taught by Hartness, in order to conserve floor space.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietrich in view of Muller and Asako.

Art Unit: 3653

Dietrich as modified by Muller comprises everything claimed except at least one edging adapted to hold the printed products on the track. Asako teaches the use of side walls for regulating widthwise movement of paper. See, e.g., par. 12. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to add at least one edging adapted to hold the printed products on the track, to the device of Dietrich as modified by Muller, as taught by Asako, in order to regulate widthwise movement of the paper.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietrich in view of Muller and Hartness.

Dietrich as modified by Muller comprises everything claimed except wherein two or more tracks are arranged concentrically and operate independently of each other. Hartness teaches the use of two or more tracks that are arranged concentrically and operate independently of each other, in order to conserve floor space. See col. 6, lines 7 et seq. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use two or more tracks are arranged concentrically and operate independently of each other in the device of Dietrich as modified by Muller, as taught by Hartness, in order to conserve floor space.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dietrich in view of Asako and Hartness.

Art Unit: 3653

Dietrich as modified by Asako comprises everything claimed except wherein two or more tracks are arranged concentrically and operate independently of each other. Hartness teaches the use of two or more tracks that are arranged concentrically and operate independently of each other, in order to conserve floor space. See col. 6, lines 7 et seq. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use two or more tracks are arranged concentrically and operate independently of each other in the device of Dietrich as modified by Asako, as taught by Hartness, in order to conserve floor space.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Severson whose telephone number is (571)272-2209. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey, can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3653

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeremy Severson/
Examiner, Art Unit 3653

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
Unit 3653